

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 12, 2005**

DIVISION ONE

B177496     Aaron Wieselmann et al., v. Wallace Moriarity et al.  
B181358     Shmuel Erde et al.,v. Wallace P. Moriarty

Filed order consolidating above captioned appeals.

DIVISION THREE

B173431     Conservatorship of Elzie B.             (Not for Publication)

The judgment is affirmed.

Croskey, J.

We concur:   Klein, P.J.  
                   Kitching, J.

DIVISION FIVE

B179468     Los Angeles County, D.C.S.             (Not for Publication)  
                   v.  
                   Annette H.  
                   In re Lee H.

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                   Mosk, J.

## DIVISION FIVE (Continued)

B169749      People                                  (Certified for Partial Publication)  
v.  
Hoy Chan

The judgment of conviction for the lesser included convictions of lewd conduct in violation of Penal Code Section 288, subdivision (a) as to counts 3 through 11 are reversed. Upon issuance of the remittitur, judgments of dismissal are to be entered as to those lesser included offenses. The conviction of failing to register in violation of Penal Code section 290, subdivision (g)(2) is reversed and remanded for retrial. The judgments of conviction for lewd conduct by force in violation of Penal Code section 288, subdivision (b)(1) as to counts 2 through 11 are affirmed. The count 2 sentence of 50 years to life is to be imposed pursuant to Penal Code sections 667, subdivision (e)(1), 667.61, subdivision (a), and 1170.12, subdivision (c)(1) and is otherwise affirmed. The sentences as counts 3 through 11 are reversed. Upon issuance of the remittitur, the trial court is to impose indeterminate terms as to counts 3 through 11 as discussed in the body of this opinion. The presentence conduct credits award is reduced to 62 days. After the resentencing, an amended abstract of judgment is to be prepared and forwarded to the Department of Corrections. The corrected abstract of judgment is to state that Penal Code section 1202.4, subdivision (b)(1) and 1202.45 restitution fines have been imposed as to each count. The trial court is to actively ensure the clerk accurately prepares the corrected abstract of judgment. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Mosk, J.  
Kriegler, J.

April 12, 2005 (Continued)

DIVISION SIX

B176096 People (Not for Publication)  
v.  
Fernandez

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B177734 Kindred (Not for Publication)  
v.  
Vandergrift et al.,

The order granting summary judgment is affirmed. The parties shall bear their own costs.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

## DIVISION EIGHT

B175191 Christina Nevils (Not for Publication)  
v.  
Ocean Front Enterprises, Inc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Boland, J.

We concur: Rubin, Acting P.J.  
Flier, J.

April 12, 2005 (Continued)

DIVISION EIGHT (Continued)

B177010 Christina Nevils (Not for Publication)

v.

Ocean Front Enterprises, Inc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Boland, J.

We concur: Rubin, Acting P.J.  
Flier, J.

B177844 People (Not for Publication)

v.

James Drury

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.  
Rubin, J.

B172386 People

v.

Stafford

Filed order denying petition for rehearing.

B179442 Letterese et al. v. Bridge Publications Incorporated, et al.

B180885 Letterese et al. v. Bridge Publications, Inc., et al.

Filed order consolidating above captioned appeals.